



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2300389  
**Applicant Name:** Thai Nguyen for Bob Nguyen  
**Address of Proposal:** 7923 46th Avenue South

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide two parcels of into three parcels of land. Proposed parcel sizes are: A) 5,144 sq. ft; B) 5,144 sq. ft.; and C) 7,723 sq. ft. An existing shed would be removed. All other structures on the property would remain.

The following approval is required:

**Short Subdivision** - to subdivide two existing parcels into three parcels.  
(Chapter 23.24, Seattle Municipal Code).

**SEPA DETERMINATION:**    ☒ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS  
   ☐ DNS with conditions  
   ☐ DNS involving non-exempt grading or demolition or  
   involving another agency with jurisdiction

**BACKGROUND DATA**

Site And Vicinity

- *Zone:* SF 5000
- *Required Minimum Lot Size:* 5,000 sq. ft.
- *Location:* The address of the two existing parcels is 7923 46th Avenue S. and they both front the west side of the street.
- *Site size:* The entire site measures [] sq. ft. with [] linear feet of frontage along 46<sup>th</sup> Avenue South.
- *Topography/Vegetation:* The parcels are relatively level ground and are improved with residential ornamental landscaping.

- *Existing development:* An existing single family structure would remain on proposed Parcel A; a shed on proposed Parcel C would be removed.
- *Street/Access:* 46th Avenue S. at this location is residential street improved with approximately 27-foot wide pavement and sidewalks on both sides of the street but does not have curbs and gutters.
- *Surrounding Neighborhood:* Single family residential.
- *Environmentally Critical Areas (ECA):* None

#### Proposal

- *Number of Parcels:* Three.
- *Area of Parcels:* A) 5,144 sq. ft; B) 5,144 sq. ft.; and C) 7,723 sq. ft.
- *Access:* Parcels A and B would directly front 46th Avenue S. Parcel C would be served by a 10-foot wide access easement that would be located on the north/south property line of Parcels A and B from 46th Avenue S.

#### Public Comment:

- *Date of Notice of Application:* March 20, 2003
- *Date End of Comment Period:* April 2, 2003
- *Number of Comments:* None
- *Issues:* None identified by the public.
- *Other Considerations:* None

#### ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Design, Construction and Land Use (DCLU); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

##### *1. Conformance to the applicable Land Use Code provisions;*

The lots created by the proposed short subdivision will conform to all development standards of the SF 5000 zone. The lot configurations provide adequate buildable area to meet applicable density, zone setbacks, lot coverage requirements, shoreline setback requirements and other land use code development standards. Any new development must conform to land use code requirements at the time of application. The location at the public right-of-way for all signage and addressing should be established on the final plat.

The Seattle Comprehensive Plan's land use policies for the SF 5000 zone are designed to preserve the character of single-family residential areas and discourage the demolition of single-family residences and displacement of residences. This proposal would create one additional building site from two existing parcels of land for a total of three new lots in a single-family residential zone. No demolition of the existing single-family residence is proposed. Therefore, this proposal is consistent with applicable land use code provisions.

2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

All three parcels would have direct access to 46th Avenue S. Proposed Parcels A and B would front the street directly and Parcel C would be served by a 10-foot access easement from the parcel to the street. All would have adequate vehicle and utility access via 46th Avenue S.

The Seattle Fire Department provides emergency vehicle access to the site and has approved the proposal with no further improvements. Seattle City Light provides electrical service to the subject property and has indicated that easement for electrical facilities serving proposed Parcel C would be necessary. The easement described as #240434-1-026 must be included on the final mylar. Prior to recording the short plat, all existing utility lines must be shown on the face of the plat.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

A public combined sewer (PS) in 46th Avenue S. is available to all proposed parcels for sanitary discharge. The easement noted on the plat is adequate for Parcel C. Stormwater discharge from new construction may discharge to the PS in 46th Avenue S. after passing through a detention system. This will be required in conjunction with future construction permits. The easement shown on the proposed short plat is adequate for the placement of the shared detention system.

Seattle Public Utilities reviewed the short subdivision application and approved a Water Availability Certificate, No. 2003-0248, on March 18, 2003. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed subdivision is consistent with relevant SF 5000 zone land use policies and meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

This criterion is not applicable to this short subdivision.

6. *Is designed to maximize the retention of existing trees;*

No trees meeting the criteria of SMC 23.[] are located on the subject property.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This criterion is not applicable to this short subdivision.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED** subject to the following conditions.

### **CONDITIONS - SHORT SUBDIVISION**

#### **Prior to Recording**

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Submit final recording forms for approval and any fees, if necessary.
3. Add the noted conditions of approval after recording on the face of the plat and/or on a separate sheet if necessary.
4. The location of existing utility lines shall be shown on the face of the plat.
5. Easements for the existing side sewers shall be included as part of the legal descriptions.
6. The location at the public right-of-way for all signage and addressing for Parcel C shall be determined and shown on the final plat.
7. The Seattle City Light easement described as #240434-1-026, shall be included in its entirety on the face of the final plat.

#### **After Recording and Prior to Issuance of a Building Permits**

8. A copy of the recorded short subdivision shall be attached to all building permit sets of plans for future construction on Parcels B, C, and D.

Signature: (signature on file) Date: July 10, 2003  
Carol Proud, Senior Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services